

House File 2445 - Introduced

HOUSE FILE _____
BY MAY

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing that a local government entity may adopt
2 legislation regulating the use of phosphorus in proximity to a
3 recreational lake.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 6138YH 82
6 da/nh/5

PAG LIN

1 1 Section 1. Section 200.22, subsection 1, Code 2007, is
1 2 amended by adding the following new paragraph:
1 3 NEW PARAGRAPH. c. "Recreational lake" means a body of
1 4 water, which is not a river or stream, primarily used for
1 5 boating, fishing, swimming, or other recreational purposes.
1 6 Sec. 2. Section 200.22, subsection 3, Code 2007, is
1 7 amended to read as follows:
1 8 3. This section does not apply to local legislation, if it
1 9 does any of the following:
1 10 a. Has general applicability to commercial activity.
1 11 b. Regulates the use of phosphorus within a specific
1 12 separation distance from a recreational lake as established in
1 13 the local legislation.

EXPLANATION

1 14 This bill amends Code section 200.22 by allowing a local
1 15 governmental entity to regulate the use of phosphorus within a
1 16 separation distance from a recreational lake. Generally, the
1 17 Code section provides for state preemption of matters
1 18 concerning the use, sale, distribution, storage,
1 19 transportation, disposal, formulation, labeling, registration,
1 20 or manufacture of a fertilizer or soil conditioner.
1 21 LSB 6138YH 82
1 22 da/nh/5